IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

CRP.No. 823 of 2005(E)

A.NO.8/2004 of CALICUT UNIVERSITY APPELLATE TRIBUNAL, TRIVANDRUM
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REVN. PETITIONER/RESPONDENT:

PRAJYOTI NIKETAN COLLEGE, PUDUKAD,
TRICHUR DISTRICT, REP. BY ITS MANAGER.

BY ADV. SRI.MATHAI M PAIKADAY(SR.)
SRI.JOSE KURIEN PERAYIL
SRI.ALEX JOSE PAIKADA

RESPONDENTS/APPELLANT:
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1. SR.ELIZABETH PYNADATH @ SR.CHRISTELLA,
JUNIOR SUPERINTENDENT, PRAJYOTI NIKETHAN
COLLEGE, PUDUKKAD, TRICHUR DISTRICT.

2. UNIVERSITY OF CALICUT, REP. BY ITS
REGISTRAR, CALICUT.

BY ADV. SRI.S.GOPAKUMARAN NAIR, SC, CALICUT UTY (FOR R2)
SRI.JOHNSON MANAYANI (FOR R1)

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 20/08/2007, ALONG WITH CRP NO. 822 OF 2005 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B. KOSHY & V. GIRI, JJ.

C.R.P.No. 823 of 2005

Dated this the 20th day of August, 2007

Order

Koshy,J.

This revision application is filed by the management of an aided college allegedly run by a minority institution. Disciplinary action was taken against the first respondent and finally she was working as Junior Superintendent. She was reverted to the post of Head Accountant. Against that demotion, first respondent has approached the University Appellate Tribunal. Appellate tribunal set aside the disciplinary action taken as well as the enquiry report. Challenging the same, this C.R.P. is filed.

2. In the C.R.P. I.A.No.1339 of 2007 is filed stating that first respondent is not contesting the case as she is resigning from the post if salary and other emoluments are paid to her. Counsel for the management submits that they have no objection in paying the salary. She was paid salary only upto 18.12.2003. Her claim is for salary and other emoluments due to her. The

management submitted that they have no objection to accept the resignation letter. We record the same and, therefore, on submitting resignation, management shall accept the same and whatever dues are there payable to her as arrears of salary, leave salary, other benefits etc. shall be paid to her. If there is any dispute in the leave salary, after paying the admitted amount, petitioner can question the same. The management shall take all steps so that first respondent will get the due salary and benefits.

The C.R.P. is disposed of as above.

J.B.KOSHY
JUDGE

V.GIRI
JUDGE

vaa

J.B. KOSHY AND
V.GIRI,JJ.

M.F.A.NO./99

Order

Dated:20th AUGUST, 2007